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JOSEPH A WALKOWSKI
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525 SOUTH 300 EAST
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SALT LAKE CITY UT 84110

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OCT 12 2006

OFFICE OF PETITIONS

In re Application of
Charles H. Dennison et al.
Application No. 09/488,099
Filed: January 18, 2000
Attorney Docket No. 3255.IUS

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: DECISION GRANTING PETITION
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This is a decision on the petition under 37 1.183, filed May 31, 2005, which is being treated as a request under 37 CFR 1.183 to suspend 37 CFR 1.172 and 1.67 where they require execution of a supplemental reissue declaration by all of the inventors.¹

The petition is GRANTED.

The original patent named Dennison and Blalock as joint inventors.

The reissue application papers were executed by a joint reissue declaration that was signed by both inventors and filed August 4, 2000. In view of the execution of the original reissue declaration by both joint inventors, the extended prosecution to date, and the showing that diligent efforts were made to obtain the signature of Dennison, under the extraordinary circumstances of this reissue application, justice would be served by suspending the regulations to the extent they require the execution of supplemental reissue declarations by joint inventor Dennison.

The petition fee is set at \$400 not \$130 as was indicated in the petition. Thus, petitioner's deposit account has been charged in the amount of \$270.00 to make up the difference between the amount submitted with the petition and that which is due.

This matter is being referred to Technology Center AU 2822.

Telephone inquiries concerning this matter should be directed to the undesignated Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

¹ A reissue declaration must satisfy 37 CFR 1.175, and 37 CFR 1.63 (37 CFR 1.175(a); MPEP 1414), and be signed by the inventors. 37 CFR 1.172. When an inventor who executed an original declaration under 37 CFR 1.63 (as in the parent reissue application) refuses to execute a required supplemental declaration (as in the instant CPA reissue application), the requirement may be waived under 37 CFR 1.183. See MPEP 603.01.